

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

COMPLAINTDOUGLAS 175830

(Last Name) (Identification Number)

ERIC LAVONNE

(First Name) (Middle Name)

ICCF-Dorm C

(Institution)

P.O. Box 220, Mayersville, MS 39113

(Address)

(Enter above the full name of the plaintiff, prisoner and address of plaintiff in this action)

V.

CIVIL ACTION NUMBER:

3:19 CV 894 TSL-RHW

(to be completed by the Court)

HINDS COUNTY SHERIFF'S DEPARTMENTCHAROLETTE DIXON, JANE DOE (#BG8035)MARY RUSHING, BELINDA JACKSONJULIE ANN BRITTON, ANDERSON JOHNSON

(Enter the full name of the defendant(s) in this action)

AERIA GADDIS, KAREN ROBINSONFRANKIE FULLER **GENERAL INFORMATION**

- DEFENDANTS**
- A. At the time of the incident complained of in this complaint, were you incarcerated?
Yes (☒) No ()
- B. Are you presently incarcerated?
Yes (☒) No ()
- C. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?
Yes (☒) No (☒)
- D. Are you presently incarcerated for a parole or probation violation?
Yes () No (☒)
- E. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?
Yes (☒) No (☒)
- F. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?
Yes (☒) No ()

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank.)

I. Name of plaintiff: Eric Lavonne Douglas Prisoner Number: 175830

Address: P.O. Box 220, Mayersville, MS, 39113

Issaquena County Correctional Facility

ICCF-Dorm C, P.O. Box 220, Mayersville, MS 39113

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions and places of employment of any additional defendants.)

II. Defendant: Charolette Dixon is employed as Probation

Officer at Mississippi Dept of Corrections
(see continual attachment)

The plaintiff is responsible for providing his/her address and in the event of a change of address, the new address of plaintiff as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF:

NAME:
Eric Lavonne Douglas

ADDRESS:
ICCF-Dorm C, P.O. Box 220 Mayersville, MS
39113

DEFENDANT(S):

NAME:
Hinds County Sheriff's Dept.

ADDRESS:
1450 County Farm Rd. Raymond, MS 39154

JANE DOE (#BG803S)

1450 County Farm Rd. Raymond, MS 39154

MARY RUSHING

1450 County Farm Rd. Raymond, MS 39154

BELINDA JACKSON

1450 County Farm Rd. Raymond, MS 39154

(see continual attachment)

(PARTIES CONTINUAL ATTACHMENT)

II. Defendants: Hinds County Sheriff's Department is employed as Sheriff's Agency at Hinds County, MS

Jane Doe, Badge # BG8035 is employed as Booking Officer at Hinds County Detention Center.

Mary Rushing is employed as Warden at Hinds County Detention Center.

Belinda Jackson is employed as case manager at Hinds County Detention Center.

Julie Ann Britton is employed as Case Manager at Issaquena County Correctional Facility.

Anderson Johnson is employed as Warden at Issaquena County Correctional Facility.

Frankie Fuller is employed as Officer in Charge at Issaquena County Correctional Facility.

Aeria Gaddis is employed as Compliance Officer at Mississippi Dept. of Corrections.

Karen Robinson is employed as SPO IV MDOC-CMCF Records Supervisor of Administrative Remedy Program at Central Mississippi Correctional Facility.

DEFENDANTS:

Charolette Dixon
Julie Ann Britton
Anderson Johnson
Frankie Fuller
Aeria Gaddis
Karen Robinson

ADDRESS:

MDOC 421 West Pascogoula St. Jackson, MS
P.O. Box 220 22746 Hwy. 1 Mayersville, MS 39113³⁹²⁰³
P.O. Box 220 22746 Hwy. 1 Mayersville, MS 39113
P.O. Box 220 22746 Hwy. 1 Mayersville, MS 39113
CMCF 3794 Hwy 468 Pearl, MS 39208
CMCF 3794 Hwy 468 Pearl, MS 39208

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

- A. Have you ever filed any lawsuits in a court of the United States? Yes () No (X)
- B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse of this page or additional sheets of paper.)

CASE NUMBER 1.

1. Parties to the action: _____

2. Court (if federal court, name the district; if state court, name the county): _____

3. Docket Number: _____
4. Name of judge to whom case was assigned: _____
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?) _____

CASE NUMBER 2.

1. Parties to the action: _____

2. Court (if federal court, name the district; if state court, name the county): _____

3. Docket Number: _____
4. Name of judge to whom case was assigned: _____
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?) _____

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet(s) if necessary).

Claim A, Violation of Due Process of Law. 1. MDOC Probation

Officer Charolette Dixon is involved being she was my active
Probation Officer which failed to fax a copy of a warrant for
my arrest withdrawal document to NCIC in March 2017
after my case was dismissed in Hinds County Court as
stated in MDOC Policy S.O.P# 05-04-01, pg. 8, lines 331-344 resulting
in me being arrested by Hinds County Sheriff's Department.
(see Attachment Exhibit A)

2. Jane Doe, Badge # BG8035 is involved by booking me
(see continual attachment)

RELIEF

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

A. Award Compensatory Damages in an amount to be entered
or amended in this complaint after plaintiff has consulted
with an attorney against: Hinds County Sheriff's Department
for violation of due process of law, (see continual attachment)

Signed this 20th day of November, 2019.

I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.



Signature of plaintiff

III. (Statement of Claims Continual Attachment)

In at Hinds County Detention Center in Raymond, MS on November 7, 2017 and charging me with probation violation and a false charge of aggravated assault in Hinds County, MS when the U.S. Marshal Agency warrant information she was given stated aggravated assault in Noxubee County, MS. (See Attachment Exhibit B1, B2)

3. Hinds County Sheriff's Department is involved by detaining me from November 7, 2017 through December 29, 2017, 53 days on the false charges of probation violation and aggravated assault with no initial court appearance, nor did I once communicate with a judge or attorney. They also published my picture on the internet along with the false charges.

4. Belinda Jackson is involved by being my case manager at Hinds County Detention Center informing me the charges of Probation Violation and Aggravated, Aggravated Assault were new charges in Hinds County. She informed me that once I answered to those charges I had a hold on me for Noxubee County. Jackson could not provide me with a case number or court date for the alleged charges from Hinds County Clerk's Office.

5. Mary Rushing is involved by being Warden at Hinds County Detention Center where she failed to resolve the issue of the false charges and false imprisonment through the grievance procedure I filed. She also failed to remove the false charges from my NCIC report as she advised me upon my release to Noxubee County Sheriff's Department.

Claim B. Violation of due process of Law. 1. Julie Ann Britton is involved by being my case worker where she failed to go over my classification plan during orientation at Issaquena County Correctional Facility upon my arrival on April 18, 2019 as stated in MDOC Policy S.O.P. # 22-10-01, pg. 5, lines 186-188. Britton failed to obtain a criminal disposition on a charge as stated in MDOC Policy S.O.P. # 22-01-01, pg. 6, lines 249-264 during a reclassification process where I was denied minimum community custody and housed in medium custody with violent offenders for seven months until present time, although I am eligible for minimum custody. (See continual)

(Claim B Continual)

1. Britton will not allow me access to legal counsel or legal services as stated in MDOC Policy S.O.P. # 20-01-01, 20-03-01 after I sought diligently to meet an Administrative Remedy Program deadline, also to acquire legal assistance after I properly filled out a Inmate Legal Assistance Program form. Britton fails to properly perform her duties and responsibilities as a case manager as stated in MDOC Policy S.O.P. # 22-10-01.
(see Attachment Exhibit C)
2. Anderson Johnson is involved by being the Warden at Issaquena County Correctional Facility where he failed to ensure that MDOC Policies and Procedures are being adhered to by MDOC staff at the facility. Warden Johnson spoke with me and informed me that he has nothing to do with my MDOC issues, he could not assist me and did not respond to my grievances about classification or law library access.
3. Frankie Fuller is involved by being Sgt./Officer in Charge at Issaquena County Correctional Facility which I informed about my custody level issue in writing being she advised me that she was the person to consult with about any issue at this facility. Fuller spoke with me and agreed to resolve this issue for me, yet she did not. Fuller also stopped responding to my letters and inmate request forms.
4. Aeria Gaddis is involved by being MDOC Compliance Officer which is in charge of and responsible for making sure all the MDOC Policies, guidelines, and procedures are being followed at Issaquena County Correctional Facility, also to ensure that all MDOC officials are performing their duties and complying to MDOC Policy. (see continual)

(Claim B Continual)

4. I spoke with Gaddis on multiple occasions were she informed me that she would resolve this custody level issue. She advised me to not communicate with Warden Johnson or Britton and I would hear back from her. I have written Gaddis several letters with no response and she has stopped visiting the Dorm C where I am housed in at Issaquena County Correctional Facility.

5. Karen Robinson is involved by being the SPO IV MDOC-CMCF Records Supervisor of the Administrative Remedy Program for MDOC that processed the ARP that I filed about my custody level issue and the no disposition issue on the false charge on my MDOC/ ~~NIC~~ record that is stagnating me from being classified minimum custody. I was informed by Robinson that the issue was not an MDOC matter which MDOC Policy S.O.P. # 20-01-03 states it is. Robinson advised me to contact Hinds County about the issue.

IV. (Relief Continual Attachment)

false imprisonment, deprivation of rights, loss of liberty, personal injury through mental anguish, pain and suffering, psychological damage, and personal humiliation resulting from detaining the plaintiff for 53 days, unlawfully against his free-will, on false charges with no initial court appearance and publicly posting him on the facilities website and internet with the false charges.

B. Award Compensatory Damages in the amount to be entered or amended in this complaint after the plaintiff has consulted with an attorney. For violation of due process of law, deprivation of rights and privileges, loss of liberty, personal injury through mental anguish, pain and suffering, psychological damage; and personal humiliation caused to the Plaintiff. Compensatory Damages Sought after from Defendants and against Defendants: (1.) Charolette Dixon, (2.) Jane Doe # BG8035, (3.) Belinda Jackson, (4.) Mary Rushing, (5.) Julie Ann Britton, (6.) Anderson Johnson, (7.) Frankie Fuller, (8.) Aeria Gaddis, (9.) Karen Robinson (10.) Grant such other relief as it may appear Plaintiff is entitled.

C. Award Punitive Damages in an amount to be entered or amended in this complaint after Plaintiff has consulted with an attorney against:

1. Defendants: Dixon, Doe # BG8035, Jackson, Rushing, Britton, Johnson, Fuller, Gaddis, and Robinson.
2. Grant such other relief as it may appear Plaintiff is entitled.

Certificate Of Service

This is to certify that I have this date, caused to be mailed, via United States Mail, postage pre-paid, a true and correct copy of the above and foregoing Pleading to:

United States District Court For The
Southern District Of Mississippi

SO CERTIFIED, this the 22th day of November,
2019.


Plaintiff

175830
MDOC #

ICCF - Dorm C, P.O. Box 220
Address

Mayersville, MS 39113
Address